REMARKS

The foregoing amendment to the claims and the following remarks are being submitted as a preliminary amendment in connection with the filing of a Request for Continued Examination in connection with the above-identified patent application, and are being submitted in addition to the response to the Final Office Action issued on September 24, 2004 that is to be entered upon the filing of such Request.

Claims 1 and 3-6 remain pending in the present application, and stand rejected. Claim 1 has been amended to recite additional subject matter. Applicants respectfully submit that no new matter has been added to the application by the amendment.

In an Advisory Action mailed on January 12, 2005 in connection with the above-identified patent application, the Examiner has maintained the final rejection of claims 1 and 4-6 under 35 USC § 103(a) as being obvious over Merchant et al. (U.S. Patent No. 5,581,366) in view of Kane et al. (U.S. Patent No. 5,315,635). Applicants respectfully traverse the § 103(a) rejection of such claims 1 and 4-6 insofar as the rejection ay be applied to the claims as amended.

In the Advisory Action, the Examiner notes that a central facility coupled to a first network only and not a second network is not explicitly recited in the claims. Accordingly, by the present amendment, such a central facility is now explicitly recited. In particular, claim 1 as amended now recites that a network connector couples the cradle and by extension the accepted PCD to a central facility by way of a second network, and that the PCD normally is in radio communication with the central facility by way of a first network but that such PCD currently is out of radio communication with the first network. Thus, the cradle couples the accepted and currently out of radio communication PCD to the central facility by way of the second network and then by way of the first network in a serial manner,

inasmuch as the central facility only is in direct communication with the first network and not the second network.

Again, and as now explicitly recited, with the cradle of claim 1, the PCD is coupled to a central facility to exchange data with such PCD, and the PCD and central facility are normally so coupled by way of the first, radio network. However, when not so coupled because the PCD is out of radio communication with the first network, the PCD may nevertheless be coupled to a second network, which in turn is coupled to the first network, which in turn is coupled to the central facility such that the PCD is once again coupled to the central facility, but this time by way of both the first and second networks in a serial manner since the central facility is only in direct communication with the first network and not the second network.

As was previously pointed out, Applicants again respectfully submit that neither the Merchant nor the Kane references disclose such an arrangement, either alone or combined. In particular, and with regard to the Kane reference, the Kane wire path A is a parallel path to the Kane radio path B, and as such both paths A, B extend to the terminal 102 (central facility). Thus, the wire path A does not couple to the radio path B in a serial manner, as is required by claim 1, and in fact appears to be completely separate from such radio path B. In contradistinction, the central facility of the present invention as recited in claim 1 interfaces only with the first, radio network and therefore need not include the additional expense of interfacing with the second network. Instead, the second network allows access to the central facility by being serially coupled to the first network, which is already coupled to such central facility.

Thus, neither the Merchant nor the Kane references suggest or disclose that a portable communications device (PCD) that is normally in radio communication with a first

network employ a second network in a serial manner to communicate with the first network, as is required by claim 1, or that a cradle be employed to receive such PCD and as coupled the cradle effectuates communication with the first network by way of the second network in a serial manner when the PCD is out of radio communication with the first network, as is also required by claim 1. Thus, Applicants respectfully submit that such references cannot be combined to make obvious claim 1 or any claims depending therefrom, including claims 4-6. Therefore, Applicants respectfully request reconsideration and withdrawal of the § 103(a) rejection of claims 1 and 4-6.

The Examiner has maintained the rejection of claim 3 under 35 USC § 103(a) as being obvious over the Merchant and Kane references and further in view of Vaid (U.S. Patent Application Publication No. 2002/0091843). Applicants respectfully traverse the § 103(a) rejection of such claim 3.

Applicants respectfully submit that since independent claim 1 is unanticipated and has been shown to be non-obvious, then so too must all claims depending therefrom, including claim 3, be unanticipated and non-obvious, at least by their dependency. Therefore, Applicants respectfully request reconsideration and withdrawal of the § 103(a) rejection of claim 3.

In view of the foregoing Preliminary Amendment and Remarks, Applicants respectfully submit that the present application, including claims 1 and 3-6, is in condition for

allowance, and such action is respectfully requested.

Respectfully Submitted,

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Steven H. Meyer
Registration No. 37,189

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439